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Creating Accessory Dwelling Units (ADUs) during the California Housing Shortage:

Benchmarking ADU Programs Within Selected Bay Area City and County Jurisdictions against
the City of the Santa Cruz and the County of Santa Cruz

By

Ivo Niko Basor

A Thesis Quality Research Project
Submitted in Partial Fulfillment of the
Requirements for the Master's Degree in
PUBLIC ADMINISTRATION

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INTRODUCTION

Problem Statement

The State of California is currently in a housing crisis, which many researchers believe stems from a foundational issue with the supply and demand for housing (Tanner, Garcia, Buhayar, 2019). More specifically, California has seen a steady population increase for several decades; however, the growing demand for housing has not kept up with supply. The influx of new people coming to California, and birth rates exceeding death rates, have been defining factors in the growing demand for housing (Public Policy Institute of California, 2018). As high paying jobs are created and bring in top wage earners, and the cost of living increases, affordable housing is viewed as the most in-demand form of housing across the state (Department of Housing and Community Development, 2018). This research is focused on one type of affordable housing that has recently received widespread support from within the California state-level government: accessory dwelling units (ADUs). One community with a very successful ADU program, with a history of more than 25 years, is the City of Santa Cruz. What guidance can be gained from the City of Santa Cruz about strategies that can be used to successfully encourage the development of ADUs in other California cities and counties?

From the end of the last recession in 2008 until the last quarter of 2018, California added approximately 3.3 million jobs (Roosevelt, 2019). Although many Californians are occupying those jobs, people from other states and countries have also immigrated to California for economic prosperity, among other factors. Between 2008 and 2018, California's population grew by 10%, with international migration totaling 1.6 million people. There were additional natural increases to the population, including more births than deaths, adding approximately 2.8 million residents. In total, California had an approximate population increase of 4.4 million residents between 2008 and 2018 (Public Policy Institute of California, 2018).

However, as job creation increases, and more people are moving to California, the private sector development industry has not kept up the supply of housing to meet the growing demand.

Between 2008 and 2018, the state of California built an average of 80,000 homes each year, consisting of a mix of housing options for very low, low, moderate, and above moderate-income earners. According to California's Housing Future: Challenges and Opportunities, Statewide Housing Assessment for 2025, California will need to build approximately 180,000 housing units per year to keep up with projected housing demand (California Department of Housing and Community Development, 2018). Reports suggest that permit streamlining, lack of funding options, transportation issues, environmental impacts, high construction costs, and scarcity of developable land have been determining factors in the slow development of housing (California Department of Housing and Community Development, 2018). The state of California is challenged to seek new housing opportunities to increase the supply of housing while providing affordable options. As the housing shortage has grown in the past several years, ADUs are viewed as a method of providing units to the housing market (Tsui, 2019).

ADUs have a history of development in certain cities and counties for several decades. For example, the City of Santa Cruz has a robust ADU program that has garnered several national and statewide awards since its creation in the early 1980s (Bhatt & Ryan, 2015). The City of Santa Cruz's ADU program has been praised for its program's unique features, forward-thinking approaches, and the ability to provide ADUs to the housing market (Skinner, 2011). This research benchmarked selected San Francisco Bay Area (Bay Area) city and county ADU programs and policies against the City and County of Santa Cruz's ADU programs and policies regarding ADU development restrictions and incentives.

This research project attempted to determine the observed variations in ADU development restrictions and incentives within selected Bay Area city and county ADU programs to determine smart practices. To accomplish this, a benchmark analysis was conducted, using the City and County of Santa Cruz's respective ADU programs and policies to compare ADU programs and policies from select Bay Area city and county jurisdictions. As ADUs are gaining attention as a viable option to add housing supply in California, many municipalities do not have a developed ADU program, nor do they provide localized incentives to encourage ADU development.

Several California senate and assembly bills relating to ADUs have been passed in recent years, requiring city and county jurisdictions to adopt new statewide policies regarding ADU development. Since both city and county jurisdictions are required to create ADU ordinances to comply with new state law, the research analyzed both city and county ADU programs and policies to demonstrate and report on the similarities and differences between them. The purpose of this research is to give local governments examples, insight, and guidance as they are considering changes and new practices within their respective ADU programs, following state requirements.

BACKGROUND

Description of Accessory Dwelling Units (ADUs)

According to the California Department of Housing and Community Development, an ADU is a secondary dwelling unit, separate from the main dwelling unit(s), with complete independent living facilities, which typically includes a separate bathroom and kitchenette (California Department of Housing and Community Development, 2018). The American Planning Association defines an ADU as a small, independent residential dwelling unit located on the same lot as a stand-alone single-family home (California Department of Housing and Community Development, 2018). ADUs are also known as granny-units, mother-in-law units, garden cottages, and secondary dwelling units; however, “accessory dwelling units” has recently been established as the official term in California (Brown, 2016). A junior accessory dwelling unit (JADU) is a smaller version of an ADU that must be in the form of an attached unit to the main house, or the conversion of living space from the main dwelling unit.

ADU Construction Types

An ADU typically comes in three forms: a detached structure, an attached structure, or repurposed existing living space (California Department of Housing and Community Development, 2018). A detached ADU is typically located in the backyard area of an existing home. A detached ADU can be a stand-alone structure or can be converted from or built above an existing detached garage or ancillary structure. A detached ADU is the only form of an ADU that can be built from a manufactured unit or mobile home because of its standalone properties. Although uncommon, a detached ADU can sometimes be in the front yard or parallel to the main dwelling unit, depending on the location of the main dwelling unit on the parcel and setback requirements. An attached ADU is attached to the main dwelling unit located on the parcel in

some method. Attached ADUs come in several forms, including a structure attached to the back, side, front, or on top of the main dwelling unit (California Department of Housing and Community Development, 2018). ADUs that are repurposed or converted existing space can be a converted basement, attic, garage, or useable living space. JADUs must be attached to the main dwelling unit and converted from existing space.

Restrictions

ADUs are subject to several restrictions, such as in size, design, and required fees for development (Skinner, 2011). The allowable size of an ADU is based on several factors that determine how big an ADU can be on a specific property. These factors may include the size of the parcel, the size of the main structure, availability of construction space, and required setbacks from other structures and property lines. Size restrictions also determine whether a property can have a detached ADU, attached ADU, or a smaller JADU (Skinner, 2011). The location of the ADU is determined by several factors, such as the availability of construction space, required setbacks from other structures and property lines as well as environmental constraints such as septic system capacity (Skinner, 2011). Often an ADU is required to be built compatible with the main dwelling unit in terms of design, style, and external materials used.

Fees associated with the development of ADUs are considered a restriction because as construction, permitting, and applied costs of ADU development increase, the development of an ADU can quickly become unaffordable to homeowners (Garcia, 2017). Separate from construction costs, there are three main fee categories associated with ADU development: utility connection, impact, and permitting fees. Utility connection fees include charges to connect the ADU to sewer, water, and electrical facilities. Utility connection fees are typically calculated based on factors such as the size of the ADU and the anticipated impact on the utility system

(Garcia, 2017). Impact fees vary by jurisdiction, are determined by local needs, and are paid during the permitting process. Impact fees are charged to the homeowner and are used to pay for various localized projects and improvements. Examples of impact fees include childcare, school, and traffic mitigation. Permit fees include charges applied during the permitting phase, such as document processing, project management, and design review fees (Garcia, 2017). Similar to impact fees, permitting fees vary by jurisdiction, and can increase depending on the scope of a specific project. Some communities provide pre-approved plans to limit permit fees and to speed up the permit process (Angst, 2020).

Incentives

Incentives for ADU development include public awareness regarding the benefits of ADU's to homeowners, guidance during the permitting process, financial support with the permitting or construction of an ADU, fee waivers, and general promotion of ADU development (Skinner, 2011). Research has identified that as ADUs are viewed as a method to supply more housing units across California, strategies for incentivizing homeowners to build ADUs in their backyards are critical to unlocking the potential of ADUs (Brinig & Garnett 2013).

Fee waivers and financial assistance are the primary incentives that city and county jurisdictions use to encourage ADU development (Brinig & Garnett 2013). Fee waivers include lowered utility connection, impact, and permitting fees. Fee waivers may be used to influence ADU use, such as providing a waiver if the homeowner agrees to rent the ADU for an affordable rent (Garcia, 2017). Loan programs are another example of this approach, as they also financially encourage homeowners to consider developing an ADU. Loan programs can aid during the permitting process or construction phase, and can be paid off in monthly payments, like

mortgage installments. This type of program can be funded through municipalities or can be provided by local non-profit and for-profit organizations (Garcia, 2017).

Information regarding ADU development that is provided to homeowners may include the use of a specific ADU website or webpage, which may include key documents that offer information regarding the permitting process, available loan programs, potential income calculator, a construction cost calculator, and online permit applications. Public outreach also includes community meetings or briefings regarding the ADU development process, benefits to homeowners, or local loan programs for financial assistance (Brinig & Garnett 2013).

History of ADU Use and Permitting in California

ADUs originally began development in the 1940s following World War II, when significant population increases occurred across the U.S. As single-family zoning became prevalent for residential developments, and the demand for housing increased dramatically, various forms of ADU's were built (Brinig & Garnett, 2013). By the 1950s, urban sprawl and single-family home development on large lots rapidly increased the popularity and usage of ADUs. However, in the mid-1960s, ADUs began to be prohibited in many areas within the U.S. to keep low-density development in single-family zoned districts (Brinig & Garnett 2013). Although banned, many communities and homeowners continued to build ADUs illegally to keep up with the housing demand and as a supplemental form of income. For example, during World War II, the Bay Area had a military defense boom, creating thousands of new jobs, resulting in high demand for workforce housing. By 1965, the City of San Francisco had approximately 2,000 ADUs, with close to 90% of them built illegally (Brinig & Garnett, 2013).

From the late 1970s to the 1990s, city and county jurisdictions began adopting ADU specific programs and policies to permit ADUs. However, early programs lacked flexibility, transparency, and public outreach (Bhatt & Ryan, 2015). The first official ADU state law was enacted through Senate Bill 1160 in 1982, when California passed statewide legislation to allow municipalities to adopt local zoning requirements to aid in the construction of affordable homes for low-income households and seniors (Brinig & Garnett, 2013). SB 1160 allowed ADU development across California; however, the statewide law did not provide context or methods of implementation to encourage ADU development. The next statewide reform of ADU law was enacted in 2003, when California adopted Assembly Bill 1866 to expedite ADU development (Brinig & Garnett, 2013). AB 1866 mandated that city and county jurisdictions amend local zoning laws to accept state regulations and to provide reasoning why their zoning can or cannot conform to the state standards. This new law prohibited cities from denying ADU applications and mandated that ADU's be ministerially approved. AB 1866 also mandated minimum standards such as the maximum ADU size of 1,200 square feet (sq. ft.), limiting ADU development to single-family zoned lots, and parking requirements of one parking space per bedroom (Brinig & Garnett, 2013).

History of ADU Use and Permitting in Santa Cruz

The City of Santa Cruz is a small coastal community located approximately 35 minutes south of San Jose, CA. The City of Santa Cruz's proximity to high paying jobs in Silicon Valley, the presence of the University of California at Santa Cruz (UCSC), and the proximity to beautiful beaches bring a consistent demand for housing. The City of Santa Cruz's proximity to mountain ranges, beaches, lakes, and environmentally protected land has historically caused development to be focused on in-fill development within the existing urban core (Skinner, 2011). The demand

for short-term housing created a need for ADU type units, resulting in the City of Santa Cruz homeowners beginning to build ADUs. Between 1970 and 1975, the City of Santa Cruz had approximately 40 ADUs built illegally (Skinner, 2011). In 1984 the City of Santa Cruz adopted its first ADU ordinance, only providing information on lots where an ADU could be built. Between 1984 and 2002, approximately 125 ADUs were built legally through the City of Santa Cruz's first ADU ordinance and early ADU programs (Bhatt & Ryan, 2015). However, the City of Santa Cruz's initial ADU ordinance and programs did not provide context on the permitting process, benefits of ADUs, nor any incentives.

In 2003 the City of Santa Cruz updated its ADU ordinance and created its first official ADU development program with many new restrictions and incentives. Notably, the City of Santa Cruz expanded its minimum lot size requirements and created a permit fee waiver for homeowners who commit to renting their ADU at the local low or very-low-income level. The City of Santa Cruz's staff believed that ADUs provided many opportunities to homeowners as well as the community, and wanted to ease restrictions and increase incentives for ADU development (Bhatt & Ryan, 2015). The City of Santa Cruz's staff cited reasons for encouraging ADU development, such as allowing multi-generational families to live together, enabling homeowners to age in the same location without having to move, and assisting homeowners in supplementing their mortgage payments with rental income (Bhatt & Ryan, 2015). City officials were also pressured to add more rental housing units to the market, and they believed that ADUs have the potential to add hundreds of units to increase the supply.

The newly established City of Santa Cruz ADU program included several unique features to increase ADU development. City officials created an ADU manual featuring various ADU designs, permitting process summaries, and a list of required materials for an ADU permit

application. For example, a homeowner would be able to select one of the models and provide that to an architect to use, streamlining the design phase of the project. Also, the City of Santa Cruz created a preapproved plans program where an applicant could purchase preapproved plans from the city, saving the applicant time and money during the permitting process.

The new ADU program also sponsored a loan program that offered up to \$100,000 in construction financing (Bhatt, Ryan, 2015). There were several incentives added within the loan program, including additional financial support if the ADU was to have a low or very low-income restriction. The loan program had other restrictions, including that the owner of the principal residence must live on the property and have at least 50% ownership equity in the main dwelling unit. Building code restrictions on ADU's were also loosened during the first several years of the ADU program's existence. For example, the City of Santa Cruz Fire Department removed separate water sprinkler system requirements for the attached ADUs (Bhatt & Ryan, 2015).

Before the creation of its first ADU program, the City of Santa Cruz averaged fewer than eight ADU building permits issued per year. In the first year of the program, the City of Santa Cruz issued a total of 42 ADU permits, followed by 68 the following year (Bhatt & Ryan, 2015). In 2004 the City of Santa Cruz won the "Policies and Regulations Smart Growth Achievement Award" from the U.S. Environmental Protection Agency for its ADU program. In 2005, the City of Santa Cruz's ADU program won the American Planning Association (APA) award of excellence, the APA Regional Urban Design Award, and the League of California Cities Helen Putnam Award (Bhatt & Ryan, 2015).

Recent California ADU State Laws

2016 State Law(s)

The later 2010s saw a flurry of enacted state laws concerning ADU regulations, as California struggled to keep up with the state's explosive growth. Senate Bill 1069 (Wieckowski, 2016) was the most extensive bill on ADUs to be signed into California state law since AB 1866 in 2003 (California Department of Housing and Community Development, 2018). SB 1069 eased regulations on the development of ADUs by removing several regulatory restrictions. SB 1069 eliminated fire sprinkler requirements and provided several exceptions to parking requirements, such as that an ADU within a half-mile from public transit does not require any covered parking. SB 1069 also required local officials to ministerially approve ADUs when they are created out of conversions from existing homes and garages, so long as they are consistent with applicable building and safety codes. Additionally, SB 1069 based utility connection fees for brand new construction on the increased use the ADU would place on public utility systems (California Department of Housing and Community Development, 2018).

Assembly Bill 2299 (Bloom, 2016) groups all accessory units, and creates a standard name of “accessory dwelling units” or “ADUs,” as well as sets general standards for local ordinances that control ADU development (California Department of Housing and Community Development, 2018). AB 2299 regulated numerous aspects of ADU development, including that the floor area of an attached ADU cannot exceed 50% of the existing living area of the main dwelling unit, and the total floor space for a detached ADU cannot exceed 1,200 sq. ft. Additionally, AB 2299 lowered setback requirements for ADUs that are built above or converted from an existing garage.

Assembly Bill 2406 (Thurmond, 2016), created more flexibility for JADUs by authorizing local governments to permit them similarly to ADUs (California Department of Housing and Community Development, 2018). AB 2406 also prohibits the use of parking as a condition of permit approval, and banned charging utility connection fees for JADUs.

2018 State Law(s)

Senate Bill 229 (Wieckowski, 2018) and Assembly Bill 494 (Bloom, 2018) passed into law to fix inconsistencies in AB 1069 and SB 2299 (Kollwitz, 2017). According to the Department of Housing and Community Development (2018), SB 229 and AB 494 clarified aspects such as that parking requirements for a garage shall also apply to a converted ADU, and defines tandem parking to mean two or more vehicles parked on a driveway. SB 229 and AB 494 also authorized municipalities to require owner occupancy for either the primary dwelling unit or the ADU.

2019 State Law(s)

Assembly Bill 68 (Ting, 2019) and Assembly Bill 881 (Bloom, 2019) were enacted to streamline the ADU permitting process and remove restrictions. AB 68 and AB 881 require local agencies to either approve or deny an ADU project within 60 days of receiving a permit application (Maclean, Golub & Ashe, 2019). AB 68 and AB 881 prohibit local agencies from adopting ADU ordinances that impose minimum lot size requirements and off-street parking requirements when a garage or carport is converted to an ADU. Most notably, the new law allows all residentially zoned parcels an ADU and a JADU. Allowing for both an ADU and a JADU has been referred to as the “triplex-ation” of single-family zoning, as most single-family

zoned lots will now be able to have an ADU and a JADU, along with the primary residence (Maclean, Golub & Ashe, 2019).

Senate Bill 13 (Wieckowski, 2019) was enacted to remove owner-occupancy requirements and specific fees associated with the development of an ADU (Maclean, Golub & Ashe, 2019). SB 13 prohibits city and county jurisdictions from requiring the owner of the property to live within either the primary dwelling or the ADU. However, this provision is only applicable to ADUs built before 2024, as this specific provision sunsets in 2025. Additionally, SB 13 prohibits cities and counties from imposing specific impact fees on all ADUs that are under 750 sq. ft.

Assembly Bill 587 (Friedman, 2019) provides a narrow pathway for affordable housing organizations to sell deed-restricted land to eligible low-income homeowners (Maclean, Golub & Ashe, 2019). AB 587 allows local agencies the ability to sell or convey ADUs separately from the primary residence if specific conditions are met. The intent of AB 587 is to increase the ability of housing organizations to sell deed-restricted ADUs to eligible low-income homeowners.

Assembly Bill 671 (Friedman, 2019) requires local governments to increase incentive options and explicitly promotes the development of ADUs (Maclean, Golub & Ashe, 2019). AB 671 also requires local governments to develop a list of local grants and financial incentives for ADU development, and to display the list within the general plan.

From 2016 to 2019, California enacted several senate and assembly bills into law that loosen ADU development restrictions, as well as provide various incentives for homeowners to build ADUs. Before 2016, local governments were left to develop ADU programs and policies

with little oversight or guidance from the state. Following recent ADU laws, all city and county jurisdictions are required to comply with state law through the adoption of localized ordinances. As restrictions loosen and incentives increase, local city and county organizations are challenged to add to the local housing stock by increasing the issuance of ADU building permits.

METHODOLOGY

The research method used in this report is benchmarking. Benchmarking attempts to identify and define measures of performance in an organization or across several organizations (Emerson, Menkus, Van Ness, 2011). Metrics are established and used to compare organizational operations to determine what is the norm and idealized standards. When using benchmarking, a subject organization or program, identified as a leader in the specific area of study, is used as the benchmark to compare all other organizations against. Benchmarking often takes the form of a best or smart practice study, analyzing standards in the selected organization or program, and developing a list of best or smart practices that exemplify efficiency and effectiveness. Benchmarking allows managers to seek to modify their processes and methods to realize greater effectiveness and productivity (Emerson, Menkus, Van Ness, 2011).

For purposes of this report, ADU programs and policies in select Bay Area jurisdictions were benchmarked against ADU programs and policies in the City and County of Santa Cruz. The City of Santa Cruz was chosen as the benchmark for city jurisdictions because its ADU program has won several national awards and is viewed as a leader in ADU development. The County of Santa Cruz was chosen as the county benchmark because of its proximity to the City of Santa Cruz.

Due to the enactment of various new California laws regarding ADUs, all city and county jurisdictions must update their ADU policies to comply with new state laws. This research considered both city and county jurisdictions to evaluate similarities and differences in ADU programs run by city and county departments. Since the housing crisis is severe in the Bay Area, city, and county jurisdictions located in the Bay Area have been selected as the comparison jurisdictions (Brasuell, 2018). County-based ADU programs analyzed in this report consist of the

following: County of Alameda, County of Contra Costa, County of Marin, County of Santa Clara, County of San Mateo, with the County of Santa Cruz as the benchmark. Additionally, the City-based ADU programs analyzed in this report consist of the following: City of Concord, City of Oakland, City of San Jose, City of San Mateo, City of San Rafael, with the City of Santa Cruz as the benchmark. The research intends to provide city and county jurisdictions that are still considering changes to their ADU programs and policies with descriptive-analytical information regarding variations in ADU development restrictions, and incentives used in select municipalities.

Selected municipalities programs and policies restricting and incentivizing ADU development were benchmarked against the City and County of Santa Cruz's. The number of building permits issued by each jurisdiction was analyzed to compare selected ADU programs regarding effectiveness. The number of permits issued was tracked during the years of 2015, 2016, 2017, 2018, and in 2019 to show the growth of issued ADU permits following statewide ADU law reform beginning in 2016. A list of restriction and incentive practices was developed from reviewing online information on selected ADU programs, previous literature on selected ADU programs, and interviews with ADU program stakeholders.

Resources include professional work interviews with ADU stakeholders and managers. Interviews ask work-related questions only, such as the number of ADUs permitted in the last five years, what types of incentives are used to encourage ADU development, and what loan programs are available for ADUs. The research included a review of government website searches, staff reports, and existing literature from scholarly databases. Recommendations for city and county jurisdictions regarding smart practices that may assist in permitting more ADUs were created.

LITERATURE REVIEW

The majority of academic and professional literature on ADUs was produced between the mid-1980s to the early 2000s, and the early 2010s to today. It appears that the ADUs gained more popularity in research due to the increasing housing crisis following the real estate recession of 2008. Early literature focuses on the implementation of state mandates, legalization of ADUs, and describes the benefits of ADUs. Recent articles regarding ADUs concentrate on the implementation of state mandates, analysis regarding what specific cities are doing within their communities to build ADUs and how ADUs can be developed and rented affordably.

Demand Drivers for Accessory Dwelling Units

The State of California is in an affordable housing crisis, which many proponents believe stems from a fundamental issue with supply and demand. California has continued to be a worldwide leader in tech innovation, leading to job growth, and is home to many of the world's top universities, creating a steady increase in population. However, as the demand for housing has continued to grow, the supply of housing in California, specifically affordable housing, has not kept up for decades (Wegmann, 2014). With recent state legislation encouraging ADUs in 2016, 2018, and 2019, ADUs are an essential component for increasing the supply of affordable housing (Coppage, 2017).

Changing Household Trends

Changing trends in the U.S. housing market have been recorded in an array of research regarding the demand for innovative housing solutions, such as ADUs. American families are growing in number but shrinking in size, and the current housing stock has not kept up with changes in family demographics (Been & Gross, 2014). Underused space in single-family homes

is one of the nation's most abundant untapped housing resources (Been & Gross, 2014). People who live in one-person households, as well as multigenerational households, tend to want to live and age in the same place (Coppage, 2017). A 2009 AARP survey of individuals fifty-five and older found that 89% of respondents desired to stay in their current residence for as long as possible (Cobb & Dvorak, 2001). The desire to remain in the same house with family and age at home is one element of household evolution that has created an expanding market for ADU development.

ADUs are often a preferred housing choice for multigenerational households because they allow family members to share a residence and assist each other in day to day tasks, while retaining some privacy for each generation (Ruud & Nordvik, 2003). Coppage (2017) stated that approximately one-in-five Americans now live in a multigenerational household, a percentage not seen in the American population since 1950. Another subpopulation of the U.S. that is continuing to grow is the over housed, also known as one-person households. Infranca (2014) provided quantitative research findings regarding how the changing household composition across the U.S. is resulting in a mismatch between housing needs and existing housing supply. This study found that approximately 20% of American homeowners are over housed. An analysis conducted in five major U.S. cities (Portland, Seattle, San Francisco, Austin & Denver) found that the share of one-person households grew in all five cities between 2000 and 2012 (Chapple, Wegmann, Nemirow & Dental, 2012). This report attributed this change to delay in age at marriage, living alone following college graduation, and an increase in multigenerational households.

College towns have often been areas of high demand for ADU housing because of their small size and short-term lease requirements. Foley (2016) details the growing demand for

ADUs in California college towns. The average square footage for a campus dormitory room across California State University campuses is between 300 and 600 sq. ft. In comparison, the average permitted ADU in California is between approximately 500 and 750 sq. ft. College students tend to live in smaller housing units with roommates in a dormitory or shared living spaces. This trend over time has naturally created a demand for ADUs in towns with a large population of college students (Foley, 2016). Additionally, many college students occupy housing units for eight to ten months of the year, leaving the ADU vacant during the summer months. Vacancies within an ADU offer homeowners the flexibility of having the ADU as a vacation rental (Foley, 2016).

Affordable Housing

Many experts consider the housing crisis in California to be associated with a lack of affordability in housing and construction options. A recent real estate market study shows that in February 2019, a family looking to purchase an average priced home in San Jose, California, would need a combined income of over \$250,000 (NBC Bay Area, 2019). Additionally, in May 2019, the average rent for a 2-bedroom apartment in San Jose was approximately \$2,800 (Bona, 2019). The increasing cost of homeownership and rental prices has created a need for more affordable housing options. Affordability is widely considered the primary driver of recent California housing legislation that reduced regulation on ADUs (Garcia, 2019).

Been & Gross (2013) analyzed the rents from eight cities across the U.S., discovering that the rent for studio apartments was lower in each city compared to all other housing options (Been & Gross, 2013). This is relevant to ADUs because of their similarities in size, use, and design to studios. Based on price per sq. ft. and size, smaller housing options such as ADUs are an affordable housing option by design. Rents associated with ADUs are often also below-

market because landlords often live on the same property and lower the rent when tenants assist with yard work, general maintenance, and house sitting (Brining & Garnett, 2013). ADUs also provide a housing option that can save families and individuals money because of their location and proximity to work. Entire families and individuals are often priced out of the neighborhoods and communities where they work and where their family members reside because they are unable to financially afford to live in that area (Brining & Garnett, 2013).

Supplemental Income

Researchers predict future trends in current ADU markets from the use of surveys and questionnaires sent out within individual municipalities. A 2017 report based on Portland, Seattle, and Vancouver, concluded that the two most common reasons given for why survey respondents decided to build an ADU were for extra income and to create living space for a family member (Chapple, Wegmann, Mashood & Coleman, 2017). A 2016 survey of the City of Portland reported that 40% of the population surveyed, who were 55 years or older, claimed that creating a new stream of revenue would be their primary motivation behind building an ADU (Chapple, Wegmann, Mashood & Coleman, 2017). Americans are living longer and need to pay for various health care services, cover home maintenance costs, and make mortgage payments (Cobb & Dvorak, 2001). As the population ages, increasing medical and living expenses have created a need for the elderly to search for supplemental income streams. ADUs as an income source for seniors is a crucial factor in increasing the demand for ADU policy reform in the U.S. (Brining & Garnett, 2013).

Early ADU Programs & Implementation Across States and Cities

Since the 1980s, states such as California, Oregon, and Washington have passed legislation on ADU regulations. Early statewide mandates only offered a basic framework on ADUs and general baseline information, without direct guidance. Municipalities are often required to implement state-mandated laws or create their own local ADU programs and policies. Research shows that many state mandates do not provide implementation practices nor enforcement of new regulations.

California

Brinig and Garnett (2013) analyzed ADU legislation and implementation across the U.S. The article was an empirical study of ADU law implementation focused on California. California first enacted state-wide legislation addressing ADUs in 1982 to allow ADUs to “meet housing needs, properly utilize housing resources, permit affordable housing, and provide security for homeowners” (Brinig & Garnett 2013, page 36). Senate Bill 1160 enacted legislation to allow municipalities to adopt zoning requirements to aid in the construction of affordable homes for low-income households and seniors. Following the enactment of SB 1160 in 1982, California did not see substantial growth in ADU development due to a lack of guidance and direction. California legislators then decided to reform state law in 2003, passing Assembly Bill 1866, mandating minimum standards, such as maximum size, occupancy requirements, and permit process regulations. Various reports found that several cities in California did not implement a local ADU ordinance and failed to comply with the state requirements (Schwartz, 2014).

Studies show that several other California cities have been early leaders in ADU program and policy development. For example, Cobb and Dvorak (2001) researched Daly City,

California, and its efforts in encouraging ADU development following the passage of SB 1160. In 1983, Daly City passed its own ADU ordinance to meet growing housing needs and to legalize illegal ADUs that pose health threats. Daly City retroactively authorized 200 illegal ADUs within its first five years of program implementation (Cobb & Dvorak, 2001). Daly City won the California League of Cities' annual award for innovative community development programs in 1988 because of its early implementation of ADU specific policies and amnesty program (Cobb & Dvorak, 2001).

Skinner (2011) evaluated various ADU programs across the United States of America (U.S.) to discover the best practices that led to the development of ADUs and the implementation of state mandates. This report highlighted the City of Santa Cruz as one of the most forward-thinking and innovative jurisdictions in permitting ADUs (Skinner, 2011). The City of Santa Cruz allowed the development of ADUs since the 1980s, citing growing housing needs for students and vacation rentals as the driving force behind the demand (Skinner, 2011). Following the new California ADU mandates in 2003 (SB 1160), the City of Santa Cruz adjusted its ADU program and provided more incentives, in addition to what it had already provided (Moffat, 2004). A case study titled "Accessory Dwelling Units – Santa Cruz, California" illustrates the City of Santa Cruz's unique approach to building affordably. The City of Santa Cruz was one of the first municipalities in the U.S. to provide an incentive program to keep ADUs rented at an affordable rate. In 2003 the City of Santa Cruz implemented a program that lent up to \$100,000 to homeowners if they agreed to maintain their units as affordable for a specified period (Bhatt & Ryan, 2015).

Foley (2016) describes ADU regulations and implementation in various college towns, including San Luis Obispo, California. The City of San Luis Obispo enacted its first ADU

ordinance in 1984 as a method to provide more housing options for the influx of students each year (Foley, 2016). The ordinance was amended in 2003, specifying new regulations, including owner occupancy and covered parking requirements. The report highlighted two rare local regulations, which were that the owner of the property was required to reside in the main house, and there was no minimum lot size requirement (Foley, 2016). Following a survey of ADU owners, requiring property owners to live in the main house was found to be a disincentive to build an ADU. Having no minimum lot size requirement was seen as an incentive as every parcel is eligible to build an ADU (Foley, 2016).

Oregon

A 2003 study by the City of Portland researched the impact of the ADU owner-occupancy requirement implemented by the city in 1998 (City of Portland Bureau of Planning, 2003). The study used a variety of data sources to monitor the ADU program, including permit application figures, land use review applications, and interviews with homeowners. No evidence was found of an explosion of ADU development, nor any reason to believe that ADUs were causing a public nuisance. However, concern over the owner-occupancy requirement was constant across most homeowners, claiming that it was too restrictive. A follow-up survey in 2005 found that 42% of survey responders would consider building an ADU if they were not required to live in the main dwelling unit (Palmeri, 2014).

Palmeri (2014) provided insight regarding what the City of Portland was doing to encourage the construction of more ADUs. In 2010 the City of Portland implemented a fee waiver program that waives specific impact fees when a homeowner decides to build an ADU on the property. Additionally, the report found that ADU permit applications tripled in one year from 25 in 2009 to 75 in 2010, following the ending of the homeowner-occupancy requirement

and implementation of a fee waiver program (Palmeri, 2014). Chapple, Wegmann, Mashood, and Coleman (2017) provided detail on how the City of Portland is implementing ADU programs. Portland is regarded as one of the most progressive cities in the nation in ADU programs and policies, and has had over 1,000 ADU building permits issued since 2010. This increase in ADU permitting is attributed to low regulatory requirements and waiving of specific fees. The City of Portland does not require owner-occupancy, which opens the market for ADU development opportunities to the entire Portland Community.

Washington State

The City of Seattle was historically against ADU development, and had several policies restricting ADU development. In the late 1980s, the City of Seattle only allowed an ADU if it was attached to the main house (Chapple, Wegmann, 2017). Restrictive land-use policies and the low demand for building ADUs within the homeowner community in the 1990s and 2000s led to low ADU permitting rates. However, in recent years, the City of Seattle has faced a housing shortage and has looked at ADUs as a potential method to supply needed housing units to the local market. The City of Seattle created its first official ADU pilot program in 2006, operating until 2009 (Chapple, Wegmann, 2017). The pilot program led to over 150 ADU permits issued, a 45% increase from the previous three years. Seattle decided to expand its ADU program in 2010 by removing parking requirements, changing owner-occupancy requirements, and allowing attached and detached ADUs (Chapple, Wegmann, 2017).

Implementation and Anticipated Impacts of New ADU Law(s) in Select California Cities

As described above, California made a series of changes to its ADU laws in 2016, 2018, and 2019. Academic and professional research on expected impacts from recent ADU laws is limited. Certain

cities have already implemented similar, flexible ADU development programs and policies, such as the City of Santa Cruz (Garcia, 2017). The City of Santa Cruz saw a reform to its already robust ADU program in 2014, several years before state laws changed. In 2017 and 2018, the City of Santa Cruz conducted surveys and held community meetings to understand the current ADU market and desirability. However, following the 2019 changes to ADU state law, the City of Santa Cruz has held off on changes to its local ADU program to implement state mandates effectively (Neuse, 2019). The City and County of San Francisco previously allowed ADU's only in the Castro District; however, since the state ADU law passed in 2016, San Francisco has legalized ADUs and granted permits city-wide. Following the ADU state reform in 2016, San Francisco has seen permits for ADUs skyrocket from 65 in the first quarter of 2016, to 205 in the first quarter of 2017 (Garcia, 2017).

FINDINGS

Research was conducted to identify observed variations in ADU development restrictions and incentives within selected pairs of Bay Area city and county jurisdictions. Data sources for this research included internet searches, searching news media and non-profit organizations related to ADU development, contacting city and county employees, searching through municipal websites, and searching for evidence of new ADU state law implementation. One finding of the research is that some jurisdictions have formal as well as informal ADU programs and policies that provide little information or guidance regarding ADU development, while others have robust guidance and assistance for potential ADU construction. This information is displayed below by city or county jurisdiction.

In California, the municipality (city or town) is the primary source of planning, zoning, and building regulations. The county controls these functions in unincorporated areas of its jurisdiction, meaning land that is not part of an incorporated city or town (Institute for Local Government, 2012).

City of Santa Cruz. Following recent ADU state law changes passed in 2019, the City of Santa Cruz enacted a new ADU ordinance on January 14th, 2020 (S. Neuse, personal communication, March 3, 2020). The City of Santa Cruz has a formal ADU program with specific policies, fee waivers, and applications. Based on its long history and substantial programming, it was used as the benchmark against which to gauge the completeness of other ADU programs and policies. Table 1 lists the City of Santa Cruz's demographic information, and the number of ADU permits issued in the last five years.

Table 1: City of Santa Cruz ADU & Demographic Data

		City
		Santa Cruz
City Info	Population	64,745
	Square Miles	12
	Median Income	\$70,102
Permits Issued	2015	53
	2016	80
	2017	76
	2018	102
	2019	112
	Total	423

Source: U.S. Census Bureau, 2020a.; City of Santa Cruz, 2020

The City of Santa Cruz imposes impact and utility fees on ADUs larger than 750 sq. ft. based on the increased use. The City of Santa Cruz updated its ADU program and policies to reflect new state changes without imposing any additional development restrictions (S. Neuse, personal communication, March 3, 2020). The City of Santa Cruz is currently analyzing methods to reduce development restrictions, such as eliminating owner-occupancy requirements for ADUs built before January 1, 2020, and allowing the development of JADUs in townhouses (S. Neuse, personal communication, March 3, 2020). Table 2 lists a summary of restrictions and permitting fee examples in the City of Santa Cruz.

Table 2: City of Santa Cruz ADU Development Restrictions

		City
		Santa Cruz
Development Restrictions	Size	
	Location	
	Utility Fee	✓
	Impact Fee	✓
	Design	
Permit & Impact Fees	900 sq. ft. ADU	\$12,473.18
	600 sq. ft. ADU	\$6,792.45

Source: City of Santa Cruz, 2020.; S. Neuse, personal communication, March 3, 2020

The City of Santa Cruz provides readily available information and resources regarding ADU development through an ADU specific website (City of Santa Cruz, 2020). The ADU website provides information regarding local and state ADU law changes, fee estimates, public informational sessions, and financial assistance. The City of Santa Cruz is scheduled to host monthly public meetings in the spring of 2020 to discuss changes to ADU law, as well as receive input regarding how the local ADU program can be improved (S. Neuse, personal communication, March 3, 2020).

The City of Santa Cruz offers a fee-waiver program which requires an ADU to be rented to income-qualified households at a local affordable rent level (City of Santa Cruz, 2016). This fee waiver requires homeowners to place a deed restriction on the property, requiring the homeowner to rent out the ADU at an affordable rent for a period of up to 10 years (City of Santa Cruz, 2016). Fees waived include permit, park dedication, plan check, and fire review fees. The City of Santa Cruz also offers an amnesty program to assist homeowners in permitting illegal ADUs. This program offers direct consultation without requiring physical inspections to be conducted, protecting homeowners from receiving red tags or requiring legalization (City of Santa Cruz, n.d.). Table 3 lists ADU development incentives provided by the City of Santa Cruz.

Table 3: City of Santa Cruz ADU Development Incentives

			City
			Santa Cruz
Development Incentives	Info	Website	✓
		Info on New Laws	✓
		ADU Only Staff	
		Info Meetings	✓
	Financial	Loan Program	
		Fee Waivers	✓
		Fee Estimates	✓
		ADU Income Calc.	
	Permit Streamlining	Preapproved Plans	✓
		Amnesty Program	✓
		Application Form	
		Permit Process Form	✓

Source: City of Santa Cruz 2020, 2016, n.d.; S. Neuse, personal communication, March 3, 2020

City of Concord. Concord has not enacted an updated ADU ordinance that reflects the changes to state law (R. Lenhardt, personal communication, March 3, 2020). Concord does not have a formal ADU program; however, it has specific ADU policies, informational packets, and applications (R. Lenhardt, personal communication, March 3, 2020). Table 4 lists Concord's demographic information, and the number of ADU permits issued in the last five years.

Table 4: City of Concord ADU & Demographic Information

		City	
		Santa Cruz	Concord
City Info	Population	64,745	129,688
	Square Miles	12	30.5
	Median Income	\$70,102	\$81,961
Permits Issued	2015	53	3
	2016	80	3
	2017	76	11
	2018	102	15
	2019	112	21
	Total	423	53

Source: U.S. Census Bureau, 2020b.; R. Lenhardt, personal communication, March 3, 2020

Concord places all ADUs into two categories: small or large ADUs. Small ADUs are considered to be between 150 sq. ft. and 640 sq. ft., and large ADUs are considered to be up to 1,200 sq. ft. (City of Concord, 2017). Small ADUs are limited to one-bedroom, and large ADUs are required to have two bedrooms (City of Concord, 2017). This restriction is to enable families to live inside large ADUs and prohibit homeowners from building large one-bedroom ADUs (R. Lenhardt, personal communication, March 3, 2020). Table 5 lists restrictions and examples of permitting fees in Concord.

Table 5: City of Concord ADU Development Restrictions

		City	
		Santa Cruz	Concord
Development Restrictions	Size		
	Location		
	Utility Fee	✓	
	Impact Fee	✓	
	Design		✓
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$12,300.66
	600 sq.ft ADU	\$6,792.45	\$8,579.77

Source: City of Concord, 2017.; R. Lenhardt, personal communication, March 3, 2020

Concord does not have an ADU specific website or landing page; however, it does provide a summary of ADU regulations based on their most recent ADU adopted ordinance in 2017. This summary provides outdated information that has been superseded by new state law; however, it does provide various restrictions that are still regulated (City of Concord, 2017). Concord does not impose any impact or utility connection fees for ADUs built under 750 sq. ft.; however, homeowners are still subject to impact fees imposed by local organizations such as fire and school districts (R. Lenhardt, personal communication, March 3, 2020). Table 6 lists ADU development incentives provided by the City of Concord.

Table 6: City of Concord ADU Development Incentives

			City	
			Santa Cruz	Concord
Development Incentives	Info	Website	✓	
		Info on New Laws	✓	
		ADU Only Staff		
		Info Meetings	✓	
	Financial	Loan Program		
		Fee Waivers	✓	✓
		Fee Estimates	✓	✓
		ADU Income Calc.		
	Permit Streamlining	Preapproved plans	✓	
		Amnesty Program	✓	
		Application Form		
		Permit Process Form	✓	

Source: City of Concord, 2017.; R. Lenhardt, personal communication, March 3, 2020

City of Oakland. Oakland updated its ADU ordinance to reflect changes to the 2019 state law. The local ordinance was enacted into law on January 15, 2020 (T. Jull, personal communication, March 5, 2020). Oakland does not have a formal ADU program but does have specific ADU policies, informational worksheets, and applications (T. Jull, personal communication, March 5, 2020). Table 7 lists Oakland’s demographic information.

Table 7: City of Oakland ADU & Demographic Information

		City		
		Santa Cruz	Concord	Oakland
City Info	Population	64,745	129,688	429,082
	Square Miles	12	30.5	77.9
	Median Income	\$70,102	\$81,961	\$68,442
Permits Issued	2015	53	3	n/a
	2016	80	3	n/a
	2017	76	11	n/a
	2018	102	15	n/a
	2019	112	21	n/a
	Total	423	53	n/a

Source: U.S. Census Bureau, 2020c.; T. Jull, personal communication, March 5, 2020

Oakland divides ADUs into two categories; category one or two ADUs (City of Oakland, n.d). Category one ADUs involve construction within an existing living area or existing accessory structure such as a garage. Category one ADUs involve no expansion of the existing building envelope other than up to 150 sq. ft. (City of Oakland, n.d). Category two ADUs involve the construction of a new structure or exterior addition to an existing structure more than 150 sq. ft. (City of Oakland, n.d). Category one ADUs have no architectural compatibility requirements and do not require a new or separate utility connection. Category two ADUs must match exterior materials or be visually compatible with the main dwelling unit and are required to have new or separate utility connections from the main dwelling unit (City of Oakland, n.d).

Oakland created a fire hazard zone that restricts the development of ADUs. This restriction is to protect community members in vulnerable fire hazard areas within the Oakland city limits (T. Jull, personal communication, March 5, 2020). Oakland imposes impact and utility fees on ADUs larger than 750 sq. ft. based on the increased use. Table 8 lists restrictions and examples of permitting fees in Oakland.

Table 8: City of Oakland ADU Development Restrictions

		City		
		Santa Cruz	Concord	Oakland
Development Restrictions	Size			
	Location			✓
	Utility Fee	✓		✓
	Impact Fee	✓		✓
	Design		✓	✓
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$12,300.66	\$15,123.24
	600 sq.ft ADU	\$6,792.45	\$8,579.77	\$11,019.66

Source: City of Oakland, n.d.; T. Jull, personal communication, March 5, 2020

Oakland has an ADU specific landing page that provides an analysis of the new ADU ordinance and ADU permit applications. An analysis of the new ADU ordinance and subsequent

state law is provided in an easy to read format (City of Oakland, 2020a). A fill-in-the-blank application for an ADU on properties with a single-family home is provided on the ADU page (City of Oakland, 2020b). This application provides information regarding required documents, and a step by step permit process guide. A separate application is available for homeowners who would like to build an ADU on a property with a multifamily building (City of Oakland, 2020c). This application provides a self-served application with specific regulations and requirements for building an ADU on a multifamily property.

All ADUs built under 600 sq. ft. are exempt from a local affordable housing tax, which is imposed on all residential properties (T. Jull, personal communication, March 5, 2020). Additionally, all ADUs built from existing converted structures are exempt from local school district impact fees. According to staff, this is to incentivize homeowners to convert existing structures to ADUs rather than to build on green space (T. Jull, personal communication, March 5, 2020). Table 9 lists incentives provided by Oakland.

Table 9: City of Oakland ADU Development Incentives

			City		
			Santa Cruz	Concord	Oakland
Development Incentives	Info	Website	✓		✓
		Info on New Laws	✓		✓
		ADU Only Staff			
		Info Meetings	✓	✓	
	Financial	Loan Program			
		Fee Waivers	✓		✓
		Fee Estimates	✓	✓	
		ADU Income Calc.			
	Permit Streamlining	Preapproved Plans	✓		
		Amnesty Program	✓		
		Application Form			✓
		Permit Process Form	✓		✓

Source: City of Oakland, 2020a, 2020b, 2020c.; T. Jull, personal communication, March 5, 2020

City of San Jose. Ahead of the state laws that went into effect on January 1, 2020, San Jose approved a new ADU ordinance on December 17, 2019 (C. Wessling, personal communication, March 3, 2020). San Jose has a formal ADU program, including specific ADU policies and separate programs to increase ADU development within the city limits (C. Wessling, personal communication, March 3, 2020). Table 10 lists San Jose's demographic information and the number of ADU building permits issued in the last five years.

Table 10: City of San Jose ADU & Demographic Information

		City			
		Santa Cruz	Concord	Oakland	San Jose
City Info	Population	64,745	129,688	429,082	1,030,119
	Square Miles	12	30.5	77.9	180.5
	Median Income	\$70,102	\$81,961	\$68,442	\$104,234
Permits Issued	2015	53	3	n/a	35
	2016	80	3	n/a	39
	2017	76	11	n/a	91
	2018	102	15	n/a	190
	2019	112	21	n/a	416
	Total	423	53	n/a	771

Source: U.S. Census Bureau, 2020d.; C. Wessling, personal communication, March 3, 2020

Buildable lots of up to 9,000 sq. ft. are allowed a maximum-sized ADU of 1,000 sq. ft., and lots greater than 9,000 sq. ft. are allowed a maximum-sized ADU of 1,200 sq. ft. (City of San Jose, n.d.a). This size restriction is to restrict large ADUs on smaller properties and allow larger properties to build the state allowed maximum size of 1,200 sq. ft. (C. Wessling, personal communication, March 3, 2020). All ADUs in San Jose city limits are restricted to a maximum of two bedrooms and two bathrooms, regardless of size. ADUs built on lots that have a historic building as the primary dwelling must be designed in a fashion that is compatible with the historic building (City of San Jose, n.d.a). San Jose imposes impact and utility fees on ADUs larger than 750 sq. ft. based on the increased use. Table 11 lists restrictions and permitting fee examples in San Jose.

Table 11: City of San Jose ADU Development Restrictions

		City			
		Santa Cruz	Concord	Oakland	San Jose
Development Restrictions	Size				✓
	Location			✓	✓
	Utility Fee	✓		✓	✓
	Impact Fee	✓		✓	✓
	Design		✓	✓	✓
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$12,300.66	\$15,123.24	\$10,100.00
	600 sq.ft ADU	\$6,792.45	\$8,579.77	\$11,019.66	\$7,093.00

Source: City of San Jose, n.d.a.; C. Wessling, personal communication, March 3, 2020

San Jose hosts a user-friendly ADU website, which provides a breakdown of the updated ADU ordinance, and accessible information regarding the ADU amnesty program, ADU permitting process, availability of pre-approved plans, and ADU related fees (City of San Jose, n.d.b). The permitting process form provides a step by step breakdown of the permit process, including required materials for a building application, setting up consultations with builders and planners for assistance, and how to manage construction (City of San Jose, 2020a). Also, the website provides information regarding ADU specific informational forums and outlets. San Jose is scheduled to host monthly educational events specifically to educate homeowners on the benefits of ADUs and how to get them permitted (C. Wessling, personal communication, March 3, 2020).

The City of San Jose has an employee who is the dedicated ADU expert, also known as the ADU Ally. The ADU Ally is the first point of contact for ADU related inquiries, permit applications, and serves as head of the ADU Tuesdays Pilot Program (C. Wessling, personal communication, March 3, 2020). ADU Tuesdays is a pilot program within the planning and building department set up to streamline the permitting process for ADUs by incentivizing homeowners to submit ADU permit applications on Tuesdays (City of San Jose, 2019). San Jose

staff has set time aside on Tuesdays to focus on ADU permit processing to make it easier for staff and homeowners (C. Wessling, personal communication, March 3, 2020).

San Jose's ADU amnesty program provides an opportunity for homeowners to legalize ADUs built before December 31, 2019 (City of San Jose, 2020b). This program provides direct assistance and fee waivers for qualifying homeowners between January 1, 2020, to January 1, 2022. The ADU website provides an informational form that details a step by step guide of how homeowners can legalize an ADU (City of San Jose, 2020c). This document shows essential steps, such as completing a self-assessment checklist, having an over the phone consultation with staff, and conducting an initial inspection. To incentivize homeowners to legalize ADUs, all permit and impact fees are waived for ADUs legalized by January 2022 (City of San Jose, 2020b).

San Jose provides a method of ADU permit streamlining through its preapproved ADU program. This program allows vendors to submit ADU specific architectural plans for city approval (City of San Jose, 2019b). By pre-approving plans, San Jose offers homeowners a fast and low-cost option of moving through the permitting phase (C. Wessling, personal communication, March 3, 2020). ADU vendors are required to submit plans for approval and are added to a list of preapproved vendors. Only two vendors are currently approved, and only detached ADUs can be built from preapproved ADU construction plans (City of San Jose, 2019b). Table 12 lists ADU development incentives provided by San Jose.

Table 12: City of San Jose ADU Development Incentives

			City			
			Santa Cruz	Concord	Oakland	San Jose
Development Incentives	Info	Website	✓		✓	✓
		Info on New Laws	✓		✓	✓
		ADU Only Staff				✓
		Info Meetings	✓	✓		✓
	Financial	Loan Program				
		Fee Waivers	✓		✓	✓
		Fee Estimates	✓	✓		✓
		ADU Income Calc.				
	Permit Streamlining	Preapproved Plans	✓			✓
		Amnesty Program	✓			✓
		Application Form			✓	✓
		Permit Process Form	✓		✓	✓

Source: City of San Jose, 2020a, 2020b, 2020c, 2019a, 2019b, n.d.a., n.d.b.; C. Wessling, personal communication, March 3, 2020

City of San Mateo. The City of San Mateo has not updated its ADU ordinance to reflect the changes to 2019 state law (P. Brennan, personal communication, March 8, 2020). The City of San Mateo does not have a formal ADU program but does have specific ADU policies, informational worksheets, and applications (P. Brennan, personal communication, March 8, 2020). Table 13 lists the City of San Mateo's demographic information, and the number of ADU permits issued in the last five years.

Table 13: City of San Mateo ADU & Demographic Information

		City				
		Santa Cruz	Concord	Oakland	San Jose	San Mateo
City Info	Population	64,745	129,688	429,082	1,030,119	104,748
	Square Miles	12	30.5	77.9	180.5	15.9
	Median Income	\$70,102	\$81,961	\$68,442	\$104,234	\$115,167
Permits Issued	2015	53	3	n/a	35	2
	2016	80	3	n/a	39	6
	2017	76	11	n/a	91	21
	2018	102	15	n/a	190	29
	2019	112	21	n/a	416	56
	Total	423	53	n/a	771	114

Source: U.S. Census Bureau, 2020e.; C. Wessling, personal communication, March 3, 2020

All ADUs are required to be similar in design and architectural style to the main dwelling unit. Depending on the year the main dwelling was built, the ADU will be required to have the same exterior materials (City of San Mateo, 2020a). The City of San Mateo requires all homeowners who build a two-story ADU to have a 5' setback from all property lines. According to staff, this is to protect the privacy of neighboring properties (P. Brennan, personal communication, March 8, 2020). The City of San Mateo imposes utility connection fees on ADUs larger than 750 sq. ft., which are calculated based on the proportional increase in use of public services (City of San Mateo, 2020a). Table 14 lists restrictions and permitting fee examples in the City of San Mateo.

Table 14: City of San Mateo Development Restrictions

		City				
		Santa Cruz	Concord	Oakland	San Jose	San Mateo
Development Restrictions	Size				✓	
	Location			✓	✓	✓
	Utility Fee	✓		✓	✓	✓
	Impact Fee	✓		✓	✓	
	Design		✓	✓	✓	✓
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$12,300.66	\$15,123.24	\$10,100.00	\$3,819.00
	600 sq.ft ADU	\$6,792.45	\$8,579.77	\$11,019.66	\$7,093.00	\$3,819.00

Source: City of San Mateo, 2020a.; P. Brennan, personal communication, March 8, 2020

The ADU website shows a breakdown of the new ADU state law and how it applies to the City of San Mateo residents (City of San Mateo, 2020a). The ADU website also includes an ADU application form and an informational permit process form (City of San Mateo, 2020c). All homeowners who have questions about the permitting process can use the permit process form for insight regarding timelines and required materials (P. Brennan, personal communication, March 8, 2020). The application form allows homeowners to fill out the application at home and bring it into the planning department when completed for submittal (City of San Mateo, 2020c).

The City of San Mateo does not impose impact or utility fees on the development of ADUs (P. Brennan, personal communication, March 8, 2020). However, impact fees imposed by local school districts apply for ADUs built larger than 750 sq. ft. The San Mateo Credit Union has partnered with the City and County of San Mateo to create an ADU specific loan (San Mateo Credit Union, 2020). This ADU loan program provides loan assistance to homeowners who have at least an 80% ownership of the main dwelling unit, and the loan proceeds can only be used to help finance the construction phase for an ADU (San Mateo Credit Union, 2020). Table 15 lists incentives provided by the City of San Mateo.

Table 15: City of San Mateo ADU Development Incentives

			City				
			Santa Cruz	Concord	Oakland	San Jose	San Mateo
Development Incentives	Info	Website	✓		✓	✓	✓
		Info on New Laws	✓		✓	✓	✓
		ADU Only Staff				✓	
		Info Meetings	✓	✓		✓	
	Financial	Loan Program					✓
		Fee Waivers	✓		✓	✓	
		Fee Estimates	✓	✓		✓	✓
		ADU Income Calc.					
	Permit Streamlining	Preapproved Plans	✓			✓	
		Amnesty Program	✓			✓	
		Application Form			✓	✓	✓
		Permit Process Form	✓		✓	✓	

Sources: City of San Mateo 2020a, 2020b, 2020c.; San Mateo Credit Union, 2020.; P. Brennan, personal communication, March 8, 2020

City of San Rafael. San Rafael has not updated its ADU ordinance to reflect the changes to 2019 state law (R. Boloyan, personal communication, March 4, 2020). San Rafael does not have a formal ADU program but does have specific ADU policies, informational worksheets, and

applications (R. Boloyan, personal communication, March 4, 2020). Table 16 lists San Rafael's demographic information and the number of ADU permits issued in the last five years.

Table 16: City of San Rafael ADU & Demographic Information

		City					
		Santa Cruz	Concord	Oakland	San Jose	San Mateo	San Rafael
City Info	Population	64,745	129,688	429,082	1,030,119	104,748	59,070
	Square Miles	12	30.5	77.9	180.5	15.9	22.52
	Median Income	\$70,102	\$81,961	\$68,442	\$104,234	\$115,167	\$87,262
Permits Issued	2015	53	3	n/a	35	2	2
	2016	80	3	n/a	39	6	4
	2017	76	11	n/a	91	21	14
	2018	102	15	n/a	190	29	21
	2019	112	21	n/a	416	56	33
	Total	423	53	n/a	771	114	73

Sources: U.S. Census Bureau, 2020f.; R. Boloyan, personal communication, March 4, 2020

San Rafael requires all ADUs built greater than 1,000 sq. ft. to contain two bedrooms. This requirement is to encourage ADU development to accommodate families (R. Boloyan, personal communication, March 4, 2020). ADUs less than 1,000 sq. ft. are allowed either one bedroom or two bedrooms. San Rafael imposes utility connection and impact fees on ADUs larger than 750 sq. ft., which are calculated based on the proportional increase in use of public services (R. Boloyan, personal communication, March 4, 2020). Table 17 lists restrictions and permitting fee examples in San Rafael.

Table 17: City of San Rafael ADU Development Restrictions

		City					
		Santa Cruz	Concord	Oakland	San Jose	San Mateo	San Rafael
Development Restrictions	Size				✓		
	Location			✓	✓	✓	
	Utility Fee	✓		✓	✓	✓	✓
	Impact Fee	✓		✓	✓		✓
	Design		✓	✓	✓	✓	✓
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$12,300.66	\$15,123.24	\$10,100.00	\$3,819.00	\$8,962.00
	600 sq.ft ADU	\$6,792.45	\$8,579.77	\$11,019.66	\$7,093.00	\$3,819.00	\$6,234.00

Sources: City of San Rafael, n.d.a.; R. Boloyan, personal communication, March 4, 2020

San Rafael has an ADU landing webpage, within the planning department's main website, showcasing state law changes and ADU applications for homeowners (City of San Rafael, n.d.a). The website shows a breakdown of the new ADU state law, highlighting significant changes. San Rafael has not updated its local ADU ordinance, as well as its ADU landing page. Some of the information on the landing page is outdated and currently invalid due to new state regulations (R. Boloyan, personal communication, March 4, 2020).

The ADU landing page offers printable ADU applications for homeowners who want to build an ADU on a property with a single-family dwelling, as well as for a multi-family dwelling. The single-family dwelling application provides a checklist of required materials for project submittal and an application form that can be completed at home (City of San Rafael, n.d.b). The multi-family dwelling application provides a checklist of required materials for project submittal and a specified application form for multi-family properties. (City of San Rafael, n.d.c). Table 18 lists incentives provided by San Rafael.

Table 18: City of San Rafael ADU Development Incentives

			City					
			Santa Cruz	Concord	Oakland	San Jose	San Mateo	San Rafael
Development Incentives	Info	Website	✓		✓	✓	✓	✓
		Info on New Laws	✓		✓	✓	✓	✓
		ADU Only Staff				✓		
		Info Meetings	✓	✓		✓		
	Financial	Loan Program					✓	
		Fee Waivers	✓		✓	✓		
		Fee Estimates	✓	✓		✓	✓	
		ADU Income Calc.						
	Permit Streamlining	Preapproved Plans	✓			✓		
		Amnesty Program	✓			✓		
		Application Form			✓	✓	✓	✓
		Permit Process Form	✓		✓	✓		

Sources: City of San Rafael, n.d.a., n.d.b., n.b.c.; R. Boloyan, personal communication, March 4, 2020

County of Santa Cruz. The County of Santa Cruz adopted its latest ADU ordinance on January 28, 2020, to reflect the most recent changes to state law (D. Allen, personal communication, February 17, 2020). The County of Santa Cruz has a formal ADU program that contains several specific ADU policies and programs that impose restrictions and provide incentives on ADU development (D. Allen, personal communication, February 17, 2020). Table 19 lists the County of Santa Cruz's demographic information, and the number of ADU permits issued in the last five years.

Table 19: County of Santa Cruz ADU & Demographic Information

		City	County
		Santa Cruz	Santa Cruz
County Info	Population	64,745	275,897
	Square Miles	12	607
	Median Income	\$70,102	\$78,041
Permits Issued	2015	53	32
	2016	80	36
	2017	76	41
	2018	102	47
	2019	112	55
	Total	423	211

Sources: U.S. Census Bureau, 2020g.; D. Allen, personal communication, February 17, 2020

All ADUs built within the coastal zoned area of the County of Santa Cruz are required to have a 5’ setback, rather than a 4’ setback. This setback requirement is to protect homeowners from building close to coastal bluffs and to protect the privacy of neighboring properties (D. Allen, personal communication, February 17, 2020). Due to existing environmental and soil issues throughout the County of Santa Cruz, a homeowner will be required to fully upgrade an existing septic tank system if an ADU is built (D. Allen, personal communication, February 17, 2020). An upgraded septic tank system is only required for rural properties that have specific soil and environmental health constraints (D. Allen, personal communication, February 17, 2020). The County of Santa Cruz does impose impact and utility fees on ADUs built larger than 750 sq. ft. in size. Table 20 lists restrictions and permitting fee examples in the County of Santa Cruz.

Table 20: County of Santa Cruz ADU Development Restrictions

		City	County
		Santa Cruz	Santa Cruz
Development Restrictions	Size		
	Location		✓
	Utility Fee	✓	✓
	Impact Fee	✓	✓
	Design		
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$16,906.73
	600 sq.ft ADU	\$6,792.45	\$4,625.26

Sources: County of Santa Cruz, n.d.a.; D. Allen, personal communication, February 17, 2020

A robust ADU specific website provides homeowners with the updated ADU ordinance, a permitting fee estimate calculator, and a potential income calculator (County of Santa Cruz, n.d.a). A breakdown of the latest ADU ordinance along with state law changes is provided. This breakdown shows the differences in pre-existing and current ADU regulations with critical takeaways for homeowners (County of Santa Cruz, 2020a). The County of Santa Cruz has created an interactive fee estimate calculator that provides fee estimates for all non-construction costs. This fee estimate breaks down all permit and impact fees imposed by the county planning and building department, as well as impact fees imposed by local agencies (County of Santa Cruz 2020b). This application is formatted within an Excel spreadsheet, allowing homeowners a do-it-yourself method of estimating non-construction related costs (D. Allen, personal communication, February 17, 2020). Similarly, the County of Santa Cruz created a cash flow estimator within an Excel spreadsheet application. This calculator allows homeowners a user-friendly method of inputting specific monthly costs and projected rental income to calculate potential income from an ADU (County of Santa Cruz 2020b).

All impact fees and the majority of permitting fees are waived if the ADU is less than 640 sq. ft. in size (D. Allen, personal communication, February 17, 2020). Staff indicated that

this fee waiver is to incentivize homeowners to build smaller ADUs, as they believe that ADUs can be affordable by design (D. Allen, personal communication, February 17, 2020). The County of Santa Cruz has partnered with a local non-profit organization to create a loan program that helps low-income seniors build an ADU (County of Santa Cruz, 2018a). The goal of the program is to build ADUs on properties owned by low-income seniors to provide additional income and adjustable living situations to help seniors age in place. To qualify for this loan, a homeowner must be at least 62 years of age and have an income at or below 60% of Area Median Income (AMI). The maximum loan amount is \$80,000, with a 3% interest rate on a 30-year term (County of Santa Cruz, 2018a). Homeowners enter into a deed restriction that requires them to rent the ADU or the main dwelling unit to an occupant whose income is at or below 60% of AMI. Also, the County of Santa Cruz provides a loan known as the ADU Forgivable Loan that is available to homeowners of any income level. This loan offers up to \$40,000 to homeowners adding an ADU to their property who are willing to rent the ADU to a low-income household (County of Santa Cruz, 2019). In exchange for the loan, homeowners sign a deed restriction for 20 years requiring the ADU to be rented to a qualifying low-income household (County of Santa Cruz, 2019).

The County of Santa Cruz offers a pathway for homeowners to legalize ADUs through their Safe Structures Program (County of Santa Cruz, n.d.b.) The purpose of this amnesty program is to promote special inspections and safety modifications of existing unpermitted structures to ensure that they are safe and habitable (D. Allen, personal communication, February 17, 2020). This program allows ADU owners with an unpermitted ADU to have a third-party inspector do a safety inspection. This inspection allows homeowners not to be required to pursue legalization if the property is found to be in compliance with building code requirements (D. Allen, personal communication, February 17, 2020). The County of Santa Cruz provides a step

by step break down of how to legalize an ADU, as well as a guide to building a new ADU (County of Santa Cruz, n.d.c). This guide provides information on the required materials and timelines, from the initial feasibility phase to occupancy. Table 21 lists incentives provided by the County of Santa Cruz.

Table 21: County of Santa Cruz ADU Development Incentives

			City	County
			Santa Cruz	Santa Cruz
Development Incentives	Info	Website	✓	✓
		Info on New Laws	✓	✓
		ADU Only Staff		
		Info Meetings	✓	
	Financial	Loan Programs		✓
		Fee Waivers	✓	✓
		Fee Estimates	✓	✓
		ADU Income Calc.		✓
	Permit Streamlining	Preapproved Plans	✓	
		Amnesty Program	✓	✓
		Application Form		
		Permit Process Form	✓	✓

Sources: County of Santa Cruz, 2020a, 2020b, 2019a, 2019b, 2018a. n.d.a., n.d.b., n.d.c.; D. Allen, personal communication, February 17, 2020

County of Alameda. The County of Alameda has not updated its local ADU ordinance to reflect changes to the 2019 state law (L. Ly, personal communication, March 23, 2020). The County of Alameda does not have a formal ADU program, but does have specific ADU policies, informational documents, and applications (L. Ly, personal communication, March 23, 2020). Table 22 lists the County of Alameda's demographic information.

Table 22: County of Alameda ADU & Demographic Information

		City	County	
		Santa Cruz	Santa Cruz	Alameda
County Info	Population	64,745	275,897	1,663,329
	Square Miles	12	607	739
	Median Income	\$70,102	\$78,041	\$92,574
Permits Issued	2015	53	32	n/a
	2016	80	36	n/a
	2017	76	41	n/a
	2018	102	47	n/a
	2019	112	55	n/a
	Total	423	211	n/a

Sources: U.S. Census Bureau, 2020h.; L. Ly, personal communication, March 23, 2020

On land zoned agricultural, all ADUs are required to be within 50’ of the main dwelling unit (County of Alameda, 2020a). This regulation is to restrict homeowners from taking a significant portion of agricultural land away by requiring that an ADU be located closer to the main dwelling unit (L. Ly, personal communication, March 23, 2020). All ADUs are required to match the exterior material, color, and roof form, and are required to appear subordinate to the existing primary dwelling (County of Alameda, 2020a). The County of Alameda requires all ADUs larger than 1,000 sq. ft. to have two bedrooms. This restriction is to incentivize homeowners to rent large ADUs to families (L. Ly, personal communication, March 23, 2020). Alameda does impose impact and utility fees on ADUs larger than 750 sq. ft. in size. Table 23 lists restrictions and permitting fee examples in the County of Alameda.

Table 23: County of Alameda ADU Development Restrictions

		City	County	
		Santa Cruz	Santa Cruz	Alameda
Development Restrictions	Size			
	Location		✓	✓
	Utility Fee	✓	✓	✓
	Impact Fee	✓	✓	✓
	Design			✓
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$16,906.73	n/a
	600 sq.ft ADU	\$6,792.45	\$4,625.26	n/a

Sources: County of Alameda, 2020a.; L. Ly, personal communication, March 23, 2020

The County of Alameda does not have an ADU specific website; however, they do have an ADU landing page within their planning department website (County of Alameda, 2020b). The landing page showcases the new ADU state laws which Alameda County residents are subject to. The ADU landing page provides essential information regarding whom to contact within the planning department to receive information regarding ADUs (County of Alameda, 2020b).

The County of Alameda waives all permitting and impact fees on ADUs built entirely within an existing residence or accessory structure (County of Alameda, 2020a). This fee waiver is in place to incentivize homeowners to build ADUs out of existing structures (L. Ly, personal communication, March 23, 2020). The County of Alameda has partnered with a local non-profit organization to create a home improvement-based loan program (County of Alameda, 2020c). The loan, known as Renew AC, helps residents of the unincorporated areas of the county make home improvements that are necessary to stay, grow, and thrive in their homes (L. Ly, personal communication, March 23, 2020). Homeowners who want to build an ADU are eligible; however, only ADUs built within the existing primary residence, accessory structure conversions, or the conversion of an illegal ADU are eligible. Renew AC provides 1% interest

loans from \$15,000 to \$150,000 to homeowners who have an annual income of 80% AMI or less, and have no more than \$150,000 in assets (County of Alameda, 2020c). Table 24 lists ADU development incentives provided by the County of Alameda.

Table 24: County of Alameda ADU Development Incentives

			City	County	
			Santa Cruz	Santa Cruz	Alameda
Development Incentives	Info	Website	✓	✓	✓
		Info on New Laws	✓	✓	✓
		ADU Only Staff			
		Info Meetings	✓		
	Financial	Loan Programs		✓	✓
		Fee Waivers	✓	✓	✓
		Fee Estimates	✓	✓	
		ADU Income Calc.		✓	
	Permit Streamlining	Preapproved Plans	✓		
		Amnesty Program	✓	✓	
		Application Form			
		Permit Process Form	✓	✓	

Sources: County of Alameda, 2020a, 2020b, 2020c.; L. Ly, personal communication, March 23, 2020

County of Contra Costa. Contra Costa adopted its latest ADU ordinance on January 21, 2020, to reflect the most recent changes to state law (S. Muraoka, personal communication, March 17, 2020). Contra Costa has a formal ADU program that contains several specific ADU policies and programs which impose restrictions on and provide incentives for ADU development (S. Muraoka, personal communication, March 17, 2020). Table 25 lists Contra Costa's demographic information and the number of ADU permits issued in the past five years.

Table 25: County of Contra Costa ADU & Demographic Information

		City	County		
		Santa Cruz	Santa Cruz	Alameda	Contra Costa
County Info	Population	64,745	275,897	1,663,329	1,153,526
	Square Miles	12	607	739	716
	Median Income	\$70,102	\$78,041	\$92,574	\$93,712
Permits Issued	2015	53	32	n/a	25
	2016	80	36	n/a	29
	2017	76	41	n/a	36
	2018	102	47	n/a	45
	2019	112	55	n/a	60
	Total	423	211	n/a	195

Sources: U.S. Census Bureau, 2020h.; S. Muraoka, personal communication, March 17, 2020

Contra Costa restricts all ADUs to be no more than 1,000 sq. ft. in size on lots smaller than 12,000 sq. ft. (County of Contra Costa, 2020a). Any lot larger than 12,000 sq. ft. is allowed to have an ADU up to 1,200 sq. ft. in size. This restriction is imposed to restrict large ADUs on small lots and to allow for the state maximum-sized ADU on larger rural lots (S. Muraoka, personal communication, March 17, 2020). Contra Costa requires all ADUs built larger than 1,000 sq. ft. to have two bedrooms. ADUs less than 1,000 sq. ft. can have either one or two bedrooms (County of Contra Costa, 2020a). This restriction is imposed to incentivize homeowners to rent larger ADUs to families (S. Muraoka, personal communication, March 17, 2020). Lastly, all ADUs are charged utility fees proportional to the increased usage of the utility (County of Contra Costa, 2020a). Table 26 lists restrictions and permitting fee examples in the County of Contra Costa.

Table 26: County of Contra Costa ADU Development Restrictions

		City	County		
		Santa Cruz	Santa Cruz	Alameda	Contra Costa
Development Restrictions	Size				✓
	Location		✓	✓	
	Utility Fee	✓	✓	✓	✓
	Impact Fee	✓	✓	✓	
	Design			✓	
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$16,906.73	n/a	\$3,000.00
	600 sq.ft ADU	\$6,792.45	\$4,625.26	n/a	\$3,000.00

Sources: County of Contra Costa, 2020a.; S. Muraoka, personal communication, March 17, 2020

An ADU specific website is available that provides homeowners with the updated ADU ordinance and regulations, an ADU permit application, and a permit processing guideline (County of Contra Costa, n.d.a). The ADU permit application provides an analysis of the required materials and project descriptions for submittal (County of Contra Costa, 2017). The ADU application can be used for all forms of ADUs, including new construction and conversions on properties that either have a single-family residence or a multifamily building. In addition, the ADU website provides a step by step guide to the ADU permitting process (County of Contra Costa, 2020a). This form provides information regarding timeframes, required materials, and what to keep in mind throughout the entire process, from initial feasibility to the construction phase.

Contra Costa does not impose impact fees on any ADUs (S. Muraoka, personal communication, March 17, 2020). However, specific impact fees can still be imposed on ADUs greater than 750 sq. ft. from outside organizations such as local school districts. In the spring of 2019, Contra Costa created a program to encourage the legalization of illegally built ADUs within the unincorporated areas of the County (County of Contra Costa, n.d.b.). This amnesty program offers property owners an opportunity to apply for and obtain required permits without

paying penalty fees that would be typically associated with unpermitted structures. Although this program waives penalty fees, the ADU owner is required to pay specific permitting fees and impact fees imposed by organizations separate from Contra Costa (S. Muraoka, personal communication, March 17, 2020). Table 27 lists ADU development incentives provided by Contra Costa.

Table 27: County of Contra Costa ADU Development Incentives

			City	County		
			Santa Cruz	Santa Cruz	Alameda	Contra Costa
Development Incentives	Info	Website	✓	✓	✓	✓
		Info on New Laws	✓	✓	✓	✓
		ADU Only Staff				
		Info Meetings	✓			
	Financial	Loan Programs		✓	✓	
		Fee Waivers	✓	✓	✓	✓
		Fee Estimates	✓	✓		
		ADU Income Calc.		✓		
	Permit Streamlining	Preapproved Plans	✓			
		Amnesty Program	✓	✓		✓
		Application Form				✓
		Permit Process Form	✓	✓		✓

Sources: County of Contra Costa, 2020a, 2017, n.d.a., n.d.b.; S. Muraoka, personal communication, March 17, 2020

County of Marin. The County of Marin adopted its new ADU ordinance on January 28, 2020, to reflect the most recent changes to state law (I. Bereket, personal communication, February 19, 2020). The County of Marin has a formal ADU program that contains several specific ADU policies and programs which impose restrictions and incentives on ADU development (I. Bereket, personal communication, February 19, 2020). Table 28 lists the County of Marin's demographic information, and the number of ADU permits issued in the past five years.

Table 28: County of Marin ADU & Demographic Information

		City	County			
		Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin
County Info	Population	64,745	275,897	1,663,329	1,153,526	258,826
	Square Miles	12	607	739	716	823
	Median Income	\$70,102	\$78,041	\$92,574	\$93,712	\$110,217
Permits Issued	2015	53	32	n/a	25	6
	2016	80	36	n/a	29	12
	2017	76	41	n/a	36	19
	2018	102	47	n/a	45	31
	2019	112	55	n/a	60	40
	Total	423	211	n/a	195	108

Sources: U.S. Census Bureau, 2020i.; I. Bereket, personal communication, February 19, 2020

The County of Marin requires all ADUs larger than 1,000 sq. ft. to have two bedrooms (County of Marin, 2020a). This restriction is imposed to encourage the development of ADUs to accommodate families (I. Bereket, personal communication, February 19, 2020). Depending on soil condition and location, a homeowner will be required to upgrade an existing septic tank system if an ADU is built. An upgraded septic tank system is only required for rural properties that have specific soil and environmental constraints (I. Bereket, personal communication, February 19, 2020). Conversion and new construction ADUs are charged utility fees proportional to the increased usage of the utility. Also, all ADUs over 750 sq. ft. in size are required to pay all applicable impact fees imposed from the County of Marin’s planning and building, department as well as from outside organizations (I. Bereket, personal communication, February 19, 2020). Table 29 lists ADU development restrictions in the County of Marin.

Table 29: County of Marin ADU Development Restrictions

		City	County			
		Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin
Development Restrictions	Size				✓	✓
	Location		✓	✓		✓
	Utility Fee	✓	✓	✓	✓	✓
	Impact Fee	✓	✓	✓		✓
	Design			✓		
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$16,906.73	n/a	\$3,000.00	n/a
	600 sq.ft ADU	\$6,792.45	\$4,625.26	n/a	\$3,000.00	n/a

Sources: County of Marin, 2020a.; I. Bereket, personal communication, February 19, 2020

The County of Marin’s community development department partnered with a local non-profit organization to create an ADU specific website named “Make Room for Marin” (County of Marin, 2020b). This website was developed to provide homeowners with the updated ADU ordinance, a step by step breakdown of the permitting process, and examples of various forms of ADUs (I. Bereket, personal communication, February 19, 2020). This website is intended to be a resource guide for all homeowners interested in pursuing ADU development in their backyards (I. Bereket, personal communication, February 19, 2020).

The County of Marin offers permit fee waivers to homeowners who agree to rent their ADUs at a local affordable level (County of Marin, 2020c). County-based permit fees for ADUs may be waived up to \$10,000 for homeowners who rent their ADUs to tenants with incomes at or below 80% of AMI or may be waived up to \$5,000 for ADUs that are rented to tenants with incomes between 80 and 120% AMI (County of Marin, 2020c). Applicants who agree to the fee waiver are required to place a deed restriction on the property for ten years. Also, the County of Marin partnered with the Marin Housing Authority to create a home improvement-based loan (County of Marin, 2019). The loan is known as the “Residential Rehabilitation Loan Program,” and helps low-income residents of the unincorporated areas of Marin County make home

improvements on their existing homes (I. Bereket, personal communication, February 19, 2020). Homeowners who want to build an ADU are eligible; however, only ADUs built within the existing primary residence, conversion of an accessory structure, or the conversion of an illegal ADU are eligible for the loan (County of Marin, 2019). This program provides 5% interest loans of up to \$35,000 to homeowners who have an annual income of 70% AMI or less, and the property is the applicant's primary residence (County of Marin, 2019). Table 30 lists ADU development incentives provided by the County of Marin.

Table 30: County of Marin ADU Development Incentives

			City	County			
			Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin
Development Incentives	Info	Website	✓	✓	✓	✓	✓
		Info on New Laws	✓	✓	✓	✓	✓
		ADU Only Staff					
		Info Meetings	✓				
	Financial	Loan Programs		✓	✓		✓
		Fee Waivers	✓	✓	✓	✓	✓
		Fee Estimates	✓	✓			
		ADU Income Calc.		✓			
	Permit Streamlining	Preapproved Plans	✓				
		Amnesty Program	✓	✓		✓	
		Application Form				✓	
		Permit Process Form	✓	✓		✓	✓

Sources: County of Marin, 2020a, 2020b, 2020c, 2019.; I. Bereket, personal communication, February 19, 2020

County of Santa Clara. The County of Santa Clara adopted its latest ADU ordinance on March 17, 2020, to reflect the most recent changes to state law (J. Wilk, personal communication, March 19, 2020). The County of Santa Clara does not have a formal ADU program; however, they have several specific ADU policies and programs which impose restrictions and incentives on ADU development (J. Wilk, personal communication, March 19, 2020). Table 31 lists the

County of Santa Clara's demographic information, and the number of ADU permits issued in the past five years.

Table 31: County of Santa Clara ADU & Demographic Information

		City	County			
		Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin
County Info	Population	64,745	275,897	1,663,329	1,153,526	258,826
	Square Miles	12	607	739	716	823
	Median Income	\$70,102	\$78,041	\$92,574	\$93,712	\$110,217
Permits Issued	2015	53	32	n/a	25	6
	2016	80	36	n/a	29	12
	2017	76	41	n/a	36	19
	2018	102	47	n/a	45	31
	2019	112	55	n/a	60	40
	Total	423	211	n/a	195	108

Sources: U.S. Census Bureau, 2020j.; J. Wilk, personal communication, March 19, 2020

The homeowner of a rural property in the County of Santa Clara will typically be required to fully upgrade an existing septic tank system if an ADU is built. An upgraded septic tank system is only required for rural properties that have specific soil and environmental constraints (J. Wilk, personal communication, March 19, 2020). Any ADU built in a historic district is required to be built using similar materials and must be compatible with the primary dwelling unit. Conversion and new construction ADUs are charged utility fees proportional to the increased usage of the utility (County of Santa Clara, 2020b). In addition, all ADUs over 750 sq. ft. in size are required to pay all impact fees imposed from organizations such as local school and fire districts (J. Wilk, personal communication, March 19, 2020). The County of Santa Clara planning and building department do not impose any impact fees on the development of an ADU (J. Wilk, personal communication, March 19, 2020). Table 32 lists restrictions and permit fee estimates in the County of Santa Clara.

Table 32: County of Santa Clara ADU Development Restrictions

		City	County				
		Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin	Santa Clara
Development Restrictions	Size				✓	✓	
	Location		✓	✓		✓	✓
	Utility Fee	✓	✓	✓	✓	✓	✓
	Impact Fee	✓	✓	✓		✓	
	Design			✓			✓
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$16,906.73	n/a	\$3,000.00	n/a	\$7,200.00
	600 sq.ft ADU	\$6,792.45	\$4,625.26	n/a	\$3,000.00	n/a	\$5,800.00

Sources: County of Santa Clara, 2020a, 2020b.; J. Wilk, personal communication, March 19, 2020

The County of Santa Clara does not have a formal ADU specific website; however, they do have an ADU landing page within their planning department website (County of Santa Clara, 2020a). The landing page showcases the new ADU ordinance and state law requirements, which County of Santa Clara residents are subject to, in an easy to read format (County of Santa Clara, 2020b). Also, a PowerPoint presentation regarding current and past ADU development regulations with design standards, examples, and staff recommendations is provided on the ADU landing page (County of Santa Clara, 2020c). Table 33 lists ADU development incentives provided by The County of Santa Clara.

Table 33: County of Santa Clara ADU Development Incentives

			City	County				
			Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin	Santa Clara
Development Incentives	Info	Website	✓	✓	✓	✓	✓	✓
		Info on New Laws	✓	✓	✓	✓	✓	✓
		ADU Only Staff						
		Info Meetings	✓					
	Financial	Loan Programs		✓	✓		✓	
		Fee Waivers	✓	✓	✓	✓	✓	
		Fee Estimates	✓	✓				
		ADU Income Calc.		✓				
	Permit Streamlining	Preapproved Plans	✓					
		Amnesty Program	✓	✓		✓		
		Application Form				✓		
		Permit Process Form	✓	✓		✓	✓	

Sources: County of Santa Clara, 2020a, 2020b, 2020c.; J. Wilk, personal communication, March 19, 2020

County of San Mateo. The County of San Mateo has not updated its local ADU ordinance to reflect the changes to the 2019 state law (C. Smith, personal communication, March 3, 2020). The County of San Mateo does have a formal ADU program with specific ADU policies and programs (C. Smith, personal communication, March 3, 2020). Table 34 lists the County of San Mateo's demographic information, and the number of ADU permits issued in the past five years.

Table 34: County of San Mateo ADU & Demographic Information

		City	County					
		Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin	Santa Clara	San Mateo
County Info	Population	64,745	275,897	1,663,329	1,153,526	258,826	1,927,852	766,573
	Square Miles	12	607	739	716	823	1,290	744
	Median Income	\$70,102	\$78,041	\$92,574	\$93,712	\$110,217	\$116,178	\$113,776
Permits Issued	2015	53	32	n/a	25	6	24	10
	2016	80	36	n/a	29	12	27	12
	2017	76	41	n/a	36	19	32	15
	2018	102	47	n/a	45	31	43	36
	2019	112	55	n/a	60	40	58	42
	Total	423	211	n/a	195	108	184	115

Sources: U.S. Census Bureau, 2020k.; C. Smith, personal communication, March 3, 2020

All ADUs built within the coastal zone of the County of San Mateo is required to have a 5’ setback, rather than a 4’, and must be at least 18’ feet away from the main dwelling unit rather than 16’ (C. Smith, personal communication, March 3, 2020). This setback requirement is to protect the privacy of neighboring homeowners and protect the coastal communities from an increase in density (C. Smith, personal communication, March 3, 2020). The County of San Mateo imposes impact and utility fees on ADUs built larger than 750 sq. ft. in size. Table 35 lists ADU development restrictions in the County of San Mateo.

Table 35: County of San Mateo ADU Development Restrictions

		City	County					
		Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin	Santa Clara	San Mateo
Development Restrictions	Size				✓	✓		
	Location		✓	✓		✓	✓	✓
	Utility Fee	✓	✓	✓	✓	✓	✓	✓
	Impact Fee	✓	✓	✓		✓		✓
	Design			✓			✓	
Permit & Impact Fees	900 sq.ft ADU	\$12,473.18	\$16,906.73	n/a	\$3,000.00	n/a	\$7,200.00	\$12,354.00
	600 sq.ft ADU	\$6,792.45	\$4,625.26	n/a	\$3,000.00	n/a	\$5,800.00	\$4,530.00

Sources: County of San Mateo, 2020a.; C. Smith, personal communication, March 3, 2020

A robust ADU website was created to provide homeowners with the recent changes to state ADU regulations, a fee and construction estimate calculator, a potential income calculator, an ADU design workbook, as well as an ADU workbook detailing the permitting and construction phase. (County of San Mateo, 2020a). A breakdown of the new ADU state regulations is provided detailing the differences in previous and current ADU regulations with critical changes (County of San Mateo, 2020a). The County of San Mateo has created an interactive permit and construction cost calculator. This fee estimate breaks down all permit fees and impact fees imposed by the County of San Mateo planning and building department, as well as from local agencies (County of San Mateo, 2020b). In addition, this program provides an estimate for construction costs by allowing users to customize a specific ADU project by selecting construction type, unit size, and the number of bedrooms (C. Smith, personal communication, March 3, 2020). Similarly, the County of San Mateo has provided a cash flow estimator within an Excel spreadsheet application. This application allows homeowners a user-friendly method of inputting specific monthly costs and several levels of rent to calculate potential income from the proposed ADU (County of San Mateo, 2020b).

The San Mateo Credit Union has partnered with the County of San Mateo and the City of San Mateo in the development of an ADU specific loan (San Mateo Credit Union, 2020). This ADU loan provides financial assistance to homeowners who have at least 80% ownership in the main dwelling unit. The loan is a construction bridge loan that can only be used to help during the construction phase (San Mateo Credit Union, 2020).

Available on the ADU website is a design workbook. This workbook provides examples of various types of ADUs with examples of floor plans, construction types, and personal stories from ADU owners (County of San Mateo, 2020c). The ADU design workbook intends to

provide homeowners with real-life ADU stories, examples, and ideas to bridge the gap between feasibility and reality (C. Smith, personal communication, March 3, 2020). Similarly, the County of San Mateo has created a second unit workbook to provide several tools for homeowners considering building an ADU within the unincorporated areas of San Mateo County (C. Smith, personal communication, March 3, 2020). This workbook breaks down all processes of ADU development from initial feasibility to move in (County of San Mateo, 2020d). The intent of providing an ADU workbook is to provide a complete document helping homeowners navigate complicated processes such as the permitting and construction phase (C. Smith, personal communication, March 3, 2020).

The County of San Mateo partnered with a local non-profit organization to create an ADU development project management program known as the One Stop Shop Program (County of San Mateo, 2019). This project management program provides up to 150 hours of free project management support services to qualified homeowners who want to add a second unit to their property. To qualify for the program, homeowners must live on the subject property, provide financial statements showing proof of funds to build an ADU, and rent either the ADU or primary dwelling unit to a low-income household (County of San Mateo, 2019). The One Stop Shop program provides homeowners with full-service project management assistance from initial feasibility through to the construction phase (C. Smith, personal communication, March 3, 2020).

The County of San Mateo provides an amnesty program allowing homeowners to legalize unpermitted ADUs (C. Smith, personal communication, March 3, 2020). The amnesty program allows homeowners to fill out a self-assessment checklist and have a third-party inspector come to the ADU and conduct a complete home inspection. By homeowners having a third-party

inspection conducted allows them to back out of legalizing the unit without the same repercussions as if a County of San Mateo inspector conducted an inspection (C. Smith, personal communication, March 3, 2020).

The County of San Mateo provides a method of ADU permit streamlining through its preapproved plans program. With a partnership between the County of San Mateo and the Housing Endowment and Regional Trust of San Mateo County (HEART), this program allows ADU vendors to submit ADU plans for approval (County of San Mateo, 2019b). The goal of the program is to make it easier and less expensive for homeowners to plan, design, and build an ADU (C. Smith, personal communication, March 3, 2020). ADU vendors are required to submit plans for approval, and then they are added to a list of preapproved vendors (County of San Mateo, 2019b). Table 36 lists ADU development incentives provided by the County of San Mateo.

Table 36: County of San Mateo ADU Development Incentives

			City	County					
			Santa Cruz	Santa Cruz	Alameda	Contra Costa	Marin	Santa Clara	San Mateo
Development Incentives	Info	Website	✓	✓	✓	✓	✓	✓	✓
		Info on New Laws	✓	✓	✓	✓	✓	✓	✓
		ADU Only Staff							
		Info Meetings	✓						✓
	Financial	Loan Programs		✓	✓		✓		✓
		Fee Waivers	✓	✓	✓	✓	✓		
		Fee Estimates	✓	✓					✓
		ADU Income Calc.		✓					✓
	Permit Streamlining	Preapproved Plans	✓						✓
		Amnesty Program	✓	✓		✓			✓
		Application Form				✓			
		Permit Process Form	✓	✓		✓	✓		✓

Sources: County of San Mateo, 2020a, 2020b, 2020c, 2020d, 2019a, 2019b.; San Mateo Credit Union, 2020.; C. Smith, personal communication, March 3, 2020

ANALYSIS

The analysis compares the selected municipality's ADU programs and policies, which are intended to restrict and incentivize ADU development, against the benchmarks of the City of Santa Cruz's and the County of Santa Cruz's programs. The evaluation was done primarily through online research and individual discussions with municipal staff, so the information regarding all restrictions and incentives may not be complete. For example, for all municipalities analyzed, it is not known if political support or grants were pursued to produce certain restrictions or incentives. The result of the research is that many municipalities that have few restrictions and a high number of incentives issue a relatively high number of ADU permits. There are several unique aspects of ADU programs and policies implemented to restrict ADU development, such as bedroom count and design requirements. The majority of restrictions are focused on imposing specific fees and bedroom count requirements. There are several unique aspects of ADU programs and policies implemented to incentivize ADU development, such as loan programs and fee waivers. The majority of incentives are either financial or permit streamlining methods.

City of Santa Cruz. The City of Santa Cruz served as the benchmark to compare other city-based ADU programs and policies against. The City of Santa Cruz has the smallest landmass, second smallest population, and has the second-lowest median income compared to all cities researched. The City of Santa Cruz has the second-fewest number of development restrictions, and is one of the least expensive cities to permit a smaller sized ADU, and is the third most expensive city to permit a large ADU. The City of Santa Cruz has the second most number of incentives, and issued the second-highest number of ADU permits in the last five years, with a

total of 423 permits. Smart practices that the City of Santa Cruz can pursue are creating partnerships to create loan programs, and providing readily accessible online permit applications.

City of Concord. Concord has a larger population, more landmass, and has a higher median income compared to the benchmark. Concord has one less restriction than the benchmark and is slightly more expensive for permitting an ADU. Concord only provides two incentives, six less than the benchmark, and issued 370 fewer ADU permits.

Concord has the third-largest population and landmass, and the fourth-highest median income compared to all other cities researched. Concord has the fewest number of restrictions and is the fourth cheapest city to permit an ADU compared to all cities researched. Concord provided the least number of incentives and issued the lowest number of ADU permits within the last five years. Smart practices that the City of Concord can pursue are creating an ADU specific website, providing online ADU permit applications, and creating a loan program.

City of Oakland. Oakland has a larger population and more landmass than the benchmark, however, it has a slightly lower median income compared to the benchmark. Oakland has two more restrictions and is more expensive to obtain a permit for an ADU compared to the benchmark. Oakland provides three fewer incentives compared to the benchmark. Oakland does not actively track ADU permits issued.

Oakland has the second-largest population and landmass, however, has the lowest median income among all cities researched. Oakland has the second most restrictions of all cities researched, and is the most expensive city to permit any sized ADU. Oakland tied for the third-highest number of incentives out of all cities researched. Smart practices the City of Oakland can

pursue are creating an amnesty program, conducting public information sessions, and creating partnerships to develop a loan program.

City of San Jose. San Jose has a larger population, landmass, and a higher median income compared to the benchmark. San Jose has three more restrictions compared to the benchmark and it is less expensive to permit a large ADU there, however, slightly more expensive to permit a smaller sized ADU. San Jose offers two more incentives compared to the benchmark and issued 348 more ADU permits in the last five years.

San Jose has the largest population and landmass, and the second-highest median income out of all cities researched. San Jose has the most restrictions out of all cities researched, and was the third cheapest city to permit a large ADU, and fourth cheapest to permit a small-sized ADU. San Jose has the highest number of incentives out of all cities researched, and issued the most ADU permits in the last five years. Smart practices the City of San Jose can pursue are creating an interactive income calculator and developing partnerships to create a loan program.

City of San Mateo. The City of San Mateo has a larger population, landmass, and a higher median income compared to the benchmark. The City of San Mateo has one more restriction than the benchmark and it is less expensive to obtain a permit for all sized ADUs. The City of San Mateo offers three fewer incentives compared to the benchmark, and issued 309 fewer ADU permits.

The City of San Mateo is the fourth largest city by population, second smallest by landmass, and has the highest median income out of all cities researched. The City of San Mateo tied for the third-largest number of restrictions out of all cities researched; however, it is the cheapest city to obtain a permit for any sized ADU. The City of San Mateo has the third-most

amount of incentives, and the third-most amount of ADU permits issued in the last five years. Smart practices the City of San Mateo can pursue are creating fee waivers, conducting public information sessions, and developing an amnesty program.

City of San Rafael. San Rafael has a slightly smaller population compared to the benchmark; however, it has more landmass and a higher median income. San Rafael has one more restriction than the benchmark and it is cheaper to obtain a permit for all sized ADUs. San Rafael offers five fewer incentives, and issued 350 fewer ADU permits than the benchmark.

San Rafael is the smallest city by population, third-largest by landmass, and has the fourth-highest median income of all the cities researched. San Rafael tied for the third-largest amount of restrictions of all cities researched, and was the second cheapest city in which to obtain a permit for any sized ADU. San Rafael has the second-lowest number of incentives, and the second-lowest number of ADU permits issued in the last five years. Smart practices that the City of San Rafael can pursue are creating fee waivers, providing fee estimates, and developing partnerships to create a loan program.

County of Santa Cruz. The County of Santa Cruz served as the benchmark to compare other county-based ADU programs and policies against. The County of Santa Cruz has the smallest population, landmass, and has the lowest median income of all counties researched. The County of Santa Cruz tied for the third-fewest number of restrictions, the most expensive to permit a large ADU, and the second least expensive to permit a small ADU of all counties researched. The County of Santa Cruz has the second-highest amount of incentives of all counties researched, and issued 211 ADU permits in the last five years, the highest number of all counties researched. Smart practices that the County of Santa Cruz can pursue are hiring an ADU specific

staff member, creating a pre-approved plans program, and providing an online ADU permit application.

County of Alameda. The County of Alameda has a larger population, landmass, and a higher median income compared to the benchmark. The County of Alameda has one more restriction and four fewer incentives compared to the benchmark. The County of Alameda does not provide an ADU permit fee estimate, nor the number of ADU permits issued in the last five years.

The County of Alameda has the second largest population and the fourth largest landmass and median income compared to all counties researched. Alameda tied for the highest number of restrictions and second-fewest incentives of all counties researched. Smart practices the County of Alameda can pursue are creating an amnesty program, providing fee estimates, and creating a pre-approved plans program.

County of Contra Costa. Contra Costa has a larger population, landmass, and a higher median income compared to the benchmark. Contra Costa has one less restriction and it is cheaper to obtain a permit for all sized ADUs compared to the benchmark. Contra Costa has two fewer incentives and issued 16 fewer ADU permits in the last five years compared to the benchmark.

Contra Costa has the third-largest population, second smallest landmass, and the fourth-highest median income compared to all counties researched. Contra Costa has the lowest number of restrictions and it is the cheapest county in which to obtain a permit for any sized ADU. Contra Costa tied for the third-highest number of incentives, and has the second-highest number of ADU permits issued in the last five years. Smart practices Contra Costa can pursue are providing fee estimates, creating a pre-approved plans program, and developing partnerships to create a loan program.

County of Marin. The County of Marin has a slightly smaller population, a larger landmass, and a higher median income compared to the benchmark. The County of Marin has one more restriction compared to the benchmark. The County of Marin does not provide permit fee estimates for ADUs. The County of Marin has three fewer incentives and issued 111 fewer ADU permits in the last five years compared to the benchmark.

The County of Marin has the smallest population, second largest landmass, and the third-highest median income compared to all counties researched. The County of Marin tied for the highest number of restrictions; however, it does not provide ADU permit fee estimates. The County of Marin has the third-fewest number of incentives and issued the lowest number of ADU permits in the last five years, compared to all counties researched. Smart practices the County of Marin can pursue are creating an amnesty program, providing fee estimates, and creating an online permit application.

County of Santa Clara. The County of Santa Clara has a larger population, landmass, and a higher median income compared to the benchmark. The County of Santa Clara has an equal amount of restrictions, is less expensive to obtain a permit for a large ADU, and is more expensive to obtain a permit for small ADUs compared to the benchmark. The County of Santa Clara has six fewer incentives and issued 27 fewer ADU permits compared to the benchmark.

The County of Santa Clara has the largest population, landmass, and highest median income compared to all counties researched. The County of Santa Clara has the second-lowest number of restrictions and is the second most expensive county in which to obtain a permit for any sized ADU. The County of Santa Clara has the lowest number of incentives, and issued the third-lowest number of ADU permits in the last five years. Smart practices that the County of

Santa Clara can pursue are creating partnerships to create a loan program, providing fee estimates, and creating an online permit application.

County of San Mateo. The County of San Mateo has a larger population, landmass, and a higher median income than the benchmark. The County of San Mateo has an equal number of restrictions compared to the benchmark, and is more expensive in which to obtain a permit for all sized ADUs. The County of San Mateo has one more incentive than the benchmark and issued 96 fewer ADU permits in the last five years.

The County of San Mateo has the fourth-largest population, third-largest landmass, and the second-highest median income compared to all counties researched. The County of San Mateo tied for having the third-highest number of restrictions and is the third most expensive county in which to obtain a permit for any sized ADU. The County of San Mateo had the highest number of incentives, and had the second-fewest ADU permits issued in the last five years compared to all other counties researched. Smart practices that the County of San Mateo can pursue are creating fee waivers, developing an online application form, and hiring an ADU specific staff person.

Limitations

Due to the recent passage of ADU state law changes in the Fall of 2019, many municipalities have yet to implement localized restrictions and incentives. Several municipalities cited that they are preoccupied with meeting state standards and are not focusing on developing localized restrictions and incentives. State law changes took away the local ability to impose restrictions on ADU development, removing many existing restrictions. As a result, variations in restrictions among municipalities researched were scarce. Also, it is not known when some of

these municipalities first developed organized ADU programs or policies. Individual municipalities with a more extended history of ADU permitting may have a higher rate of ADU permits issued because of their history rather, than having effective restrictions or incentives. It is not known how much funding municipalities had for the development and management of ADU programs and policies. Individual municipalities with larger populations or a higher tax base may have more resources to develop more robust ADU programs and policies. However, the City of Santa Cruz is relatively less wealthy than the other cities researched, yet has the most robust program.

Ideally, in a benchmark analysis, the analysis is conducted using inputs that are comparable to produce an accurate analysis effectively. Both benchmarks in this report have much smaller populations, landmasses, and lower median incomes when compared to other municipalities researched. Information regarding permitting costs only shows estimates of permitting and impact fees imposed by planning and building departments within each municipality. All other applicable fees imposed by outside jurisdictions are not provided within this estimate. Additionally, data regarding ADU permits issued serve as estimates only. The number of ADU permits represents only issued permits, and does not represent actual built ADUs.

CONCLUSION

All city and county jurisdictions researched within this report are required to update their local ADU ordinances to reflect state law changes made in 2019. The majority of municipalities and counties in this research have updated their ordinances to reflect ADU state law changes, while imposing specific localized ADU development restrictions and incentives. All municipalities and counties researched have specific ADU programs and policies that provide unique methods of restricting and incentivizing ADU development, which differ from state law. Local issues, constraints, and opportunities play a role regarding what a municipality or county implements to restrict or incentivize ADU development. The most supported and commonly used restriction methods are requiring specific bedroom counts, requiring compatible design to the main dwelling unit, and imposing specific impact fees. The most supported and commonly used incentive methods are an ADU specific website, providing user-friendly applications, and readily accessible information. Other unique incentives include ADU loan programs, project management assistance, and fee estimates.

Within every municipality and county researched, ADU permits issued increased each year between 2015 to 2019. This constant increase in the last five years provides insight regarding the effectiveness of new state and local changes to develop more ADUs as a partial solution to the statewide housing shortage. The City and County of Santa Cruz both served as useful benchmarks to compare city and county jurisdictions when considering the number of ADU permits issued in both jurisdictions within the last five years. As cities and counties across California develop unique methods to restrict and incentivize ADU development, several of the selected Bay Area municipalities are in an excellent position to increase local housing stock through the development of ADUs.

Future Research

It is not clear how cities and counties fund, nor how much they budget for, ADU programs and policies. Some research demonstrated that certain local governments had applied for state grants to fund and develop ADU specific websites and online applications; however, information regarding funding options was scarce. Future research should attempt to identify methods of funding that municipalities used to develop ADU specific programs and policies. Many municipalities provide impact fee waivers and reductions in utility connection costs for specific ADUs. Although fees are waived to incentivize homeowners to build more ADUs, the increased impact on and usage of public services and utilities persists. It is not clear what impact ADUs have had on local infrastructure and economies following the increased development of ADUs within the last several years. Future research should attempt to understand better how ADUs are affecting public services and utilities. This can help municipalities better understand whether having certain fee waivers for ADU development is worth the impact on local services and utilities.

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